

Senate Study Bill 1131

SENATE FILE _____
BY (PROPOSED COMMITTEE ON RULES
AND ADMINISTRATION BILL
BY CHAIRPERSON IVERSON)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to legislative branch consolidation of functions
2 by combining the legislative service bureau, legislative
3 fiscal bureau, and legislative computer support bureau into a
4 single central legislative staff agency, providing for
5 legislative publications procedures, modifying the sales tax
6 exemption for items sold or services provided by the new
7 agency, including related matters, and providing an effective
8 date.
9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
10 TLSB 3052SC 80
11 rj/cf/24

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1 1 Section 1. NEW SECTION. 2E.1 LEGISLATIVE SERVICES AGENCY
1 2 CREATED == SERVICES == LEGISLATIVE PRIVILEGES ==
1 3 NONPARTISANSHIP AND NONADVOCACY.
1 4 1. A legislative services agency is created as a
1 5 nonpartisan, central legislative staff agency under the
1 6 direction and control of the legislative council. The agency
1 7 shall cooperate with and serve all members of the general
1 8 assembly, the legislative council, and committees of the
1 9 general assembly.
1 10 2. The legislative services agency shall provide the
1 11 following services:
1 12 a. Legal and fiscal analysis, including legal drafting
1 13 services, fiscal analysis of legislation, and state
1 14 expenditure, revenue, and budget review.
1 15 b. State government oversight and performance evaluation.
1 16 c. Staffing of standing committees, revenue and budget
1 17 committees, statutory committees, and interim study
1 18 committees, and any subcommittees of such committees,
1 19 including the provision of legal and fiscal analysis to
1 20 committees and subcommittees.
1 21 d. Publication of the official legal publications of the
1 22 state, including but not limited to the Iowa Code, Iowa Code
1 23 Supplement, Iowa Acts, Iowa court rules, Iowa administrative
1 24 bulletin, and Iowa administrative code as provided in chapter
1 25 2B.
1 26 e. Operation and maintenance of the legislative computer
1 27 systems used by the senate, house of representatives, and the
1 28 central legislative staff agencies.
1 29 f. Provision of legislative information to the public,
1 30 provision of library information, management of legislative
1 31 visitor protocol services, and provision of capitol tour guide
1 32 services.
1 33 g. Other functions as assigned to the legislative services
1 34 agency by the legislative council or the general assembly.
1 35 3. The legislative services agency shall provide services
2 1 to the general assembly in such a manner as to preserve the
2 2 authority of the senate and the house of representatives to
2 3 determine their own rules of proceedings and to exercise all
2 4 other powers necessary for a separate branch of the general
2 5 assembly of a free and independent state, and to protect the
2 6 legislative privileges of the members and employees of the
2 7 general assembly. In providing services to the general
2 8 assembly, the legislative services agency shall adhere to all
2 9 applicable policies of the general assembly and its
2 10 constituent bodies relating to public access to legislative
2 11 information and related confidentiality restrictions.
2 12 4. The director and all other employees of the legislative
2 13 services agency shall not participate in partisan political
2 14 activities and shall not be identified as advocates or
2 15 opponents of issues subject to legislative debate except as
2 16 otherwise provided by law or by the legislative council.

2 17 Sec. 2. NEW SECTION. 2E.2 DIRECTOR == DUTIES.
2 18 1. The administrative head of the legislative services
2 19 agency shall be the director appointed by the legislative
2 20 council as provided in section 2.42. The salary of the
2 21 director shall be set by the legislative council.
2 22 2. The director shall do all of the following:
2 23 a. Employ persons with expertise to perform the legal,
2 24 fiscal, technical, and other functions which are required to
2 25 be performed by the legislative services agency by this
2 26 chapter or are assigned to the legislative services agency by
2 27 the legislative council or the general assembly.
2 28 b. Supervise all employees of the legislative services
2 29 agency, including the legal counsel designated to provide
2 30 legal assistance to the administrative rules review committee,
2 31 and supervise any outside service providers retained by the
2 32 legislative services agency.
2 33 c. Supervise all expenditures of the agency.
2 34 d. Supervise the legal and fiscal analysis and legal
2 35 publication functions of the agency.
3 1 e. Supervise the government oversight and program
3 2 evaluation functions of the agency.
3 3 f. Supervise the committee staffing functions of the
3 4 agency.
3 5 g. Supervise the computer systems services functions of
3 6 the agency.
3 7 h. Supervise the legislative and library information,
3 8 legislative visitor protocol, and capitol tour guide functions
3 9 of the agency.
3 10 i. Perform other functions as assigned to the director by
3 11 the legislative council or the general assembly.
3 12 Sec. 3. NEW SECTION. 2E.3 INFORMATION ACCESS ==
3 13 CONFIDENTIALITY == SUBPOENAS.
3 14 1. The director and agents and employees of the
3 15 legislative services agency shall at all times have access to
3 16 all agencies, offices, boards, and commissions of the state
3 17 and its political subdivisions and private organizations
3 18 providing services to individuals under contracts with state
3 19 agencies, offices, boards, or commissions and to the
3 20 information, records, instrumentalities, and properties used
3 21 in the performance of such entities' statutory duties or
3 22 contractual arrangements. All such entities and the described
3 23 private organizations shall cooperate with the director, and
3 24 shall make available to the director such information,
3 25 records, instrumentalities, and properties upon request.
3 26 2. If the information sought by the legislative services
3 27 agency is required by law to be kept confidential, the agency
3 28 shall have access to the information, but shall maintain the
3 29 confidentiality of the information and is subject to the same
3 30 penalties as the lawful custodian of the information for
3 31 dissemination of the information. However, the legislative
3 32 services agency shall not have access to tax return
3 33 information except for individual income tax sample data as
3 34 provided in section 422.72, subsection 1.
3 35 3. The director may issue subpoenas for production of any
4 1 information, records, instrumentalities, or properties to
4 2 which the director is authorized to have access. If any
4 3 person subpoenaed refuses to produce the information, records,
4 4 instrumentalities, or properties, the director may apply to
4 5 the district court having jurisdiction over that person for
4 6 the enforcement of the subpoena.
4 7 4. The director, an agent or former agent, and an employee
4 8 or former employee of the legislative services agency shall
4 9 not be compelled to give testimony or to appear and produce
4 10 documentary evidence in a judicial or quasi-judicial
4 11 proceeding if the testimony or documentary evidence sought
4 12 relates to a legislative duty or act performed by the
4 13 director, agent, or employee. An order or subpoena purporting
4 14 to compel testimony or the production of documentary evidence
4 15 protected under this subsection is unenforceable.
4 16 Sec. 4. NEW SECTION. 2E.4 SPECIFIC SERVICES == PUBLIC
4 17 POLICY RECOMMENDATIONS RESTRICTED.
4 18 The legislative services agency shall provide the following
4 19 specific services:
4 20 1. Preparation of legal and legislative analysis of any
4 21 governmental matter upon the proper request of members and
4 22 committees of the general assembly. Such analysis shall not
4 23 contain any public policy recommendations. Such legal
4 24 analysis shall be provided through the exercise of an
4 25 attorney=employee's independent, professional judgment.
4 26 2. Drafting and preparation of legislation, including
4 27 bills, resolutions, and amendments, for committees and

4 28 individual members of the general assembly; proposed bills and
4 29 joint resolutions for state agencies and the governor in
4 30 accordance with section 2.16; and bills embodying a plan of
4 31 legislative and congressional redistricting prepared in
4 32 accordance with chapter 42.

4 33 3. Fiscal analysis of legislation, and state expenditure,
4 34 revenue, and budget review. The director of the agency or the
4 35 director's designee may make recommendations to the general
5 1 assembly concerning the state's expenditures and revenues.

5 2 4. Attendance at the budget hearings required by section
5 3 8.26. The director of the agency may offer explanations or
5 4 suggestions and make inquiries with respect to such budget
5 5 hearings.

5 6 5. Assistance to standing committees and members of the
5 7 general assembly in attaching fiscal notes to bills and
5 8 resolutions as provided by the rules of the general assembly.

5 9 6. Performance of the duties pertaining to the preparation
5 10 of correctional impact statements as provided in section 2.56.

5 11 7. Furnishing information, acting in an advisory capacity,
5 12 providing staffing services, and reporting to standing,
5 13 statutory, and interim committees of the general assembly.

5 14 8. Preparation of legal and legislative analysis for the
5 15 administrative rules review committee in its oversight
5 16 functions with respect to executive branch administrative
5 17 rules as provided in chapter 17A.

5 18 9. Preparation of legal and legislative analysis for the
5 19 legislative council with respect to rules and forms submitted
5 20 by the supreme court to the legislative council pursuant to
5 21 section 602.4202.

5 22 10. Review and oversight of state program operations and
5 23 program evaluation of state agencies, including compliance,
5 24 efficiency, and effectiveness determinations, as required by
5 25 section 2E.7.

5 26 11. Provision of legislative computer systems services to
5 27 the senate, house of representatives, and central legislative
5 28 staff agencies, and provision of advice regarding legislative
5 29 computer systems services, needs, capabilities, and uses to
5 30 the legislative council and the general assembly.

5 31 Sec. 5. NEW SECTION. 2E.5 OFFICIAL LEGAL AND OTHER
5 32 PUBLICATIONS == PROCUREMENTS.

5 33 1. The legislative services agency shall publish the
5 34 official legal publications of the state as provided in
5 35 chapter 2B. The legislative services agency shall have legal
6 1 custody of the publications and shall provide for the
6 2 warehousing, sale, and distribution of the publications. The
6 3 legislative services agency shall retain or cause to be
6 4 retained a number of old editions of the publications but may
6 5 otherwise distribute or cause to be distributed old editions
6 6 of the publications to any person upon payment by the person
6 7 of any distribution costs.

6 8 2. The printed versions of the publications listed in this
6 9 subsection shall be sold at a price to be established by the
6 10 legislative services agency. In determining the prices, the
6 11 legislative services agency shall consider the costs of
6 12 printing, binding, distribution, and paper stock, compilation
6 13 and editing labor costs, and any other associated costs. The
6 14 legislative services agency shall also consider the number of
6 15 volumes or units to be printed, sold, and distributed in the
6 16 determination of the prices.

6 17 a. The Iowa Code.

6 18 b. The Iowa Code Supplement.

6 19 c. The Iowa Acts.

6 20 d. The Iowa court rules.

6 21 e. The Iowa administrative code.

6 22 f. The Iowa administrative bulletin.

6 23 3. The legislative services agency may establish policies
6 24 for the production, editing, distribution, and pricing of
6 25 electronic publications containing information stored by the
6 26 legislative branch in an electronic format, including
6 27 information contained in the printed publications listed in
6 28 this section. Such electronic publications may include
6 29 programming not originally part of the stored information,
6 30 including but not limited to search and retrieval functions.
6 31 The policies shall provide for the widest possible
6 32 distribution of these value-added electronic publications at
6 33 the lowest price practicable, which shall not be more than the
6 34 costs attributable to producing, editing, and distributing the
6 35 electronic publications.

7 1 4. Subject to section 2.42, the legislative services
7 2 agency shall determine its procurement procedures, which may
7 3 include procurement determinations based on service provider

7 4 competence, meeting of service or product specifications, and
7 5 reasonableness of price; the posting of security to accompany
7 6 a service provider proposal; the preference of Iowa-based
7 7 businesses if comparable in price; the disclosure of service
7 8 provider assignments; the inclusion of renewal options; the
7 9 imposition of liquidated damages and other penalties for
7 10 breach of any service provider requirement; and the rejection
7 11 of all service provider proposals and institution of a new
7 12 procurement process.

7 13 Sec. 6. NEW SECTION. 2E.6 SPECIAL DISTRIBUTION OF LEGAL
7 14 PUBLICATIONS == RESTRICTIONS ON FREE DISTRIBUTIONS.

7 15 1. The legislative services agency shall make free
7 16 distribution of the printed versions of the official legal
7 17 publications listed in section 2E.5, subsection 2, subject to
7 18 payment of any routine distribution costs such as but not
7 19 limited to mailing and handling costs, to the three branches
7 20 of state government, to elected county officers, to county and
7 21 city assessors, to Iowa's congressional delegation, to federal
7 22 courts in Iowa and federal judges and magistrates for Iowa,
7 23 and to state and university depository libraries, the library
7 24 of congress, and the library of the United States supreme
7 25 court. Only such officers, offices, and agencies entitled to
7 26 or receiving free copies during the fiscal year beginning July
7 27 1, 2002, and ending June 30, 2003, shall be entitled to
7 28 continue to receive free copies in subsequent years, except
7 29 that successor and new officers, offices, and agencies shall
7 30 receive a reasonable number of free copies as determined by
7 31 the legislative services agency. Such officers, offices, and
7 32 agencies shall annually review the number of copies received
7 33 in the prior year to determine if the number of copies
7 34 received can be reduced and shall submit the information in a
7 35 report to the legislative services agency. The number of
8 1 copies received, once reduced, shall not be increased to the
8 2 previous level without the express consent of the legislative
8 3 services agency.

8 4 2. Each officer, office, or agency receiving one or more
8 5 free copies of a publication under this section shall only
8 6 receive up to the number of copies indicated free at the time
8 7 of initial distribution. If an officer, office, or agency
8 8 receiving one or more free copies of a publication under this
8 9 section desires additional copies beyond the number initially
8 10 received, the officer, office, or agency must request the
8 11 additional copies and pay the normal charge for such
8 12 publication.

8 13 3. If a version of a publication provided under this
8 14 section is available in an electronic format, the legislative
8 15 services agency may establish policies providing for the
8 16 substitution of an electronic version for the printed version
8 17 of the publication, and for the amount of payment, if any,
8 18 required for the electronic publication. The payment amount
8 19 shall not be more than established pursuant to section 2E.5
8 20 for the same publication. For the Iowa administrative code
8 21 and its supplements, the legislative services agency may
8 22 provide that the distribution requirement of this section is
8 23 met by distributing relevant portions of the Iowa
8 24 administrative code or its supplements in either a printed or
8 25 electronic format.

8 26 4. Notwithstanding any provision of this section to the
8 27 contrary, the legislative services agency may review the
8 28 publication costs and offsetting sales revenues relating to
8 29 legal publications in printed formats, and may establish
8 30 policies requiring payment from persons otherwise entitled to
8 31 receive them at no cost or at a price covering distribution
8 32 costs pursuant to subsection 1. The payment amount shall not
8 33 be more than established pursuant to section 2E.5 for the same
8 34 publication.

8 35 Sec. 7. NEW SECTION. 2E.7 STATE GOVERNMENT OVERSIGHT AND
9 1 PROGRAM EVALUATION.

9 2 1. The general assembly shall independently and
9 3 intensively review and oversee the performance of state
9 4 agencies in the operation of state programs to evaluate the
9 5 efficiency and effectiveness of the state programs and to
9 6 consider alternatives which may improve the benefits of such
9 7 programs or may reduce their costs to the citizens of the
9 8 state. The legislative services agency shall provide the
9 9 technical and professional support for the general assembly's
9 10 oversight responsibility.

9 11 2. The general assembly by concurrent resolution or the
9 12 legislative council may direct the legislative services agency
9 13 to conduct a program evaluation of any state agency. Upon the
9 14 passage of the concurrent resolution or receiving the

9 15 direction of the legislative council, the director of the
9 16 legislative services agency shall inform the chairpersons of
9 17 the committees responsible for appropriations of the
9 18 anticipated cost of the program evaluation and the number and
9 19 nature of any additional personnel needed to conduct the
9 20 program evaluation and shall notify the official responsible
9 21 for the program to be evaluated. The director, after
9 22 consulting with the responsible official and the entity
9 23 requesting the program evaluation, shall determine the goals
9 24 and objectives of the state agency or state program for the
9 25 purpose of the program evaluation.

9 26 3. In conducting the program evaluation, the legislative
9 27 services agency may make certain determinations including but
9 28 not limited to the following:

9 29 a. The organizational framework of the state agency, its
9 30 adequacy and relationship to the overall structure of state
9 31 government, and whether the program under the agency's
9 32 jurisdiction could be more effective if consolidated with
9 33 another program, transferred to another program, or modified,
9 34 or whether the program should be abolished.

9 35 b. Whether the state agency is conducting programs and
10 1 activities and expending funds appropriated to the state
10 2 agency in compliance with state and federal law and any
10 3 executive order of the governor, and whether statutory or
10 4 administrative rule changes are advisable.

10 5 c. Whether the state agency is conducting authorized
10 6 activities and programs pursuant to goals and objectives
10 7 established by statute or rule, specific legislative intent,
10 8 the budget, the governor, or a strategic or other long-range
10 9 plan, and whether alternatives which might produce the desired
10 10 results at a lower cost have been considered.

10 11 d. Whether the state agency is conducting programs and
10 12 activities and expending funds appropriated to the state
10 13 agency in an efficient and effective manner, has complied with
10 14 all applicable laws, and, if not, determine the causes for
10 15 such inefficiency, ineffectiveness, or noncompliance.

10 16 e. Relationships within and among other governmental
10 17 agencies and programs including financial exchanges,
10 18 coordination, inconsistent programs, and areas of duplication
10 19 or overlapping programs.

10 20 f. The productivity of the state agency's operations
10 21 measured in terms of cost-benefit relationships or other
10 22 accepted measures of effectiveness.

10 23 g. Other criteria determined by the director.

10 24 4. Upon the completion of the program evaluation and
10 25 preparation of a report on the evaluation, the legislative
10 26 services agency shall provide a copy of the report to the
10 27 governing official or board of the state agency and afford the
10 28 state agency a reasonable opportunity to respond to the
10 29 findings and recommendations of the report. The response
10 30 shall be included in the final version of the report released
10 31 to the general assembly or the legislative council. Until its
10 32 release the report shall be regarded as confidential by all
10 33 persons properly having custody of the report.

10 34 Sec. 8. NEW SECTION. 2E.8 SALES == TAX EXEMPTION.

10 35 1. The legislative services agency and its legislative
11 1 information office may sell mementos and other items relating
11 2 to Iowa history and historic sites, the general assembly, and
11 3 the state capitol, on the premises of property under the
11 4 control of the legislative council, at the state capitol, and
11 5 on other state property.

11 6 2. The legislative services agency is not a retailer under
11 7 chapter 422 and the sale of items or provision of services by
11 8 the legislative services agency is not a retail sale under
11 9 chapter 422, division IV, and is exempt from the sales tax.

11 10 Sec. 9. Section 2.9, Code 2003, is amended to read as
11 11 follows:

11 12 2.9 JOURNALS == BILLS AND AMENDMENTS.

11 13 1. a. The senate and house of representatives shall each
11 14 publish a daily journal of the transactions of their
11 15 respective bodies. The secretary of the senate and the chief
11 16 clerk of the house shall each determine the format and manner
11 17 of the journal's publication, the procurement procedures for
11 18 the journal's publication, and the journal's distribution for
11 19 their respective bodies.

11 20 b. The secretary of the senate and the clerk of the house
11 21 of representatives shall each preserve copies of the printed
11 22 daily journals of their respective bodies, as corrected,
11 23 certify to their correctness, and file them with the secretary
11 24 of state at the adjournment of each session of the general
11 25 assembly. The secretary of state shall ~~cause the journals to~~

~~11 26 be bound and preserved as preserve the original journals of~~
~~11 27 the senate and the house in the manner specified by the~~
~~11 28 majority leader of the senate and speaker of the house.~~
~~11 29 2. a. The senate and house of representatives shall each~~
~~11 30 publish bills and amendments of their respective bodies. The~~
~~11 31 secretary of the senate and the chief clerk of the house shall~~
~~11 32 each determine the procurement procedures for the publication~~
~~11 33 of the bills and amendments and the distribution of the bills~~
~~11 34 and amendments for their respective bodies.~~

~~11 35 b. A bill that seeks to legalize the acts of any official~~
~~12 1 or board or other official body, in regard to any matter of~~
~~12 2 public nature or for any person or persons, company, or~~
~~12 3 corporation, shall not be considered by the senate or house of~~
~~12 4 representatives until the bill is published and distributed to~~
~~12 5 members of the general assembly, and the publication shall be~~
~~12 6 without expense to the state. The senate and house shall not~~
~~12 7 order any such bill published until the secretary of the~~
~~12 8 senate or chief clerk of the house has received a deposit to~~
~~12 9 cover the cost of the publication. The newspaper publication~~
~~12 10 of such bill shall be without expense to the state, and the~~
~~12 11 bill shall not be published in a newspaper until the costs of~~
~~12 12 the newspaper publication has been paid to the secretary of~~
~~12 13 state.~~

~~12 14 Sec. 10. Section 2.42, subsections 1, 2, 11, 12, 13, 14,~~
~~12 15 15, 16, 18, and 19, Code 2003, are amended to read as follows:~~

~~12 16 1. To establish policies for the operation of the~~
~~12 17 legislative service bureau, including the priority to be given~~
~~12 18 to research requests and the distribution of research reports~~
~~12 19 services agency.~~

~~12 20 2. To appoint the director of the legislative service~~
~~12 21 bureau services agency for such term of office as may be set~~
~~12 22 by the council.~~

~~12 23 11. To approve the appointment of the Iowa Code editor and~~
~~12 24 the administrative code editor and establish the salaries of~~
~~12 25 the persons employed in that office.~~

~~12 26 12. To establish policies for the distribution of~~
~~12 27 information which is stored by the general assembly in an~~
~~12 28 electronic format, including the contents of statutes or~~
~~12 29 rules, other than value-added electronic publications as~~
~~12 30 provided in section 7A.22 2E.5. The legislative council shall~~
~~12 31 establish payment rates that encourage the distribution of~~
~~12 32 such information to the public, including private vendors~~
~~12 33 reselling that information. The legislative council shall not~~
~~12 34 establish a price that attempts to recover more than is~~
~~12 35 attributable to costs related to reproducing and delivering~~
~~13 1 the information.~~

~~13 2 13. To establish policies with regard to the publishing of~~
~~13 3 printed and electronic versions of the Iowa administrative~~
~~13 4 code, the Iowa administrative bulletin, the Iowa Code, the~~
~~13 5 Iowa Code Supplement, and the session laws Iowa Acts, or any~~
~~13 6 part of those publications. The publishing policies may~~
~~13 7 include, but are not limited to: the style and format to be~~
~~13 8 used; the frequency of publication; the contents of the~~
~~13 9 publications; the numbering system to be used in the Iowa~~
~~13 10 Code, the Iowa Code Supplement, and the session laws Iowa~~
~~13 11 Acts; the preparation of editorial comments or notations; the~~
~~13 12 correction of errors; the type of print or electronic media~~
~~13 13 and data processing software to be used; the number of printed~~
~~13 14 volumes to be published; recommended revisions of the Iowa~~
~~13 15 Code, the Iowa Code Supplement, and the session laws Iowa~~
~~13 16 Acts; the letting of contracts for the publication of the Iowa~~
~~13 17 administrative code, the Iowa administrative bulletin, the~~
~~13 18 Iowa court rules, the Iowa Code, the Iowa Code Supplement, and~~
~~13 19 session laws the Iowa Acts; the pricing of the publications to~~
~~13 20 which section 22.3 does not apply; access to, and the use,~~
~~13 21 reproduction, legal protection, sale or distribution, and~~
~~13 22 pricing of related data processing software consistent with~~
~~13 23 chapter 22; and any other matters deemed necessary to the~~
~~13 24 publication of uniform and understandable publications.~~

~~13 25 14. To establish policies for the operation of the~~
~~13 26 legislative fiscal bureau.~~

~~13 27 15. To appoint the director of the legislative fiscal~~
~~13 28 bureau for such term of office as may be set by the council.~~

~~13 29 16. To hear and act upon appeals of aggrieved employees of~~
~~13 30 the legislative service bureau, legislative fiscal bureau,~~
~~13 31 computer support bureau, services agency and the office of the~~
~~13 32 citizens' aide pursuant to rules of procedure established by~~
~~13 33 the council.~~

~~13 34 18. To establish policies for the operation of the~~
~~13 35 computer support bureau.~~

~~14 1 19. To appoint the director of the computer support bureau~~

~~14 2 for a term of office set by the council.~~

14 3 Sec. 11. Section 2.45, subsection 2, Code 2003, is amended
14 4 to read as follows:

14 5 2. The legislative fiscal committee, composed of the
14 6 chairpersons or their designated committee member and the
14 7 ranking minority party members or their designated committee
14 8 member of the committees of the house and senate responsible
14 9 for developing a state budget and appropriating funds, the
14 10 chairpersons or their designated committee member and the
14 11 ranking minority party members or their designated committee
14 12 member of the committees on ways and means, and two members,
14 13 one appointed from the majority party of the senate by the
14 14 majority leader of the senate and one appointed from the
14 15 majority party of the house by the speaker of the house of
14 16 representatives. In each house, unless one of the members who
14 17 represent the committee on ways and means is also a member of
14 18 the legislative council, the person appointed from the
14 19 membership of the majority party in that house shall also be
14 20 appointed from the membership of the legislative council. ~~The~~
~~14 21 legislative fiscal committee shall determine policies for the~~
~~14 22 legislative fiscal bureau and shall direct the administration~~
~~14 23 of performance audits and visitations, subject to the approval~~
~~14 24 of the legislative council.~~

14 25 Sec. 12. Section 2.56, Code 2003, is amended to read as
14 26 follows:

14 27 2.56 CORRECTIONAL IMPACT STATEMENTS.

14 28 1. Prior to debate on the floor of a chamber of the
14 29 general assembly, a correctional impact statement shall be
14 30 attached to any bill, joint resolution, or amendment which
14 31 proposes a change in the law which creates a public offense,
14 32 significantly changes an existing public offense or the
14 33 penalty for an existing offense, or changes existing
14 34 sentencing, parole, or probation procedures. The statement
14 35 shall include information concerning the estimated number of
15 1 criminal cases per year that the legislation will impact, the
15 2 fiscal impact of confining persons pursuant to the
15 3 legislation, the impact of the legislation upon existing
15 4 correctional institutions, community-based correctional
15 5 facilities and services, and jails, the likelihood that the
15 6 legislation may create a need for additional prison capacity,
15 7 and other relevant matters. The statement shall be factual
15 8 and shall, if possible, provide a reasonable estimate of both
15 9 the immediate effect and the long-range impact upon prison
15 10 capacity.

~~15 11 2. a. The preliminary determination of whether a bill,~~
~~15 12 joint resolution, or amendment appears to require a~~
~~15 13 correctional impact statement shall be made by the legislative~~
~~15 14 service bureau, which shall send a copy of the bill, joint~~
~~15 15 resolution, or amendment, upon completion of the draft, to the~~
~~15 16 legislative fiscal director for review, unless the requestor~~
~~15 17 specifies the request is to be confidential.~~

15 18 ~~b.~~ 2. a. When a committee of the general assembly reports
15 19 a bill, joint resolution, or amendment to the floor, the
15 20 committee shall state in the report whether a correctional
15 21 impact statement is or is not required.

15 22 ~~c.~~ b. The legislative ~~fiscal director~~ services agency
15 23 shall review all bills and joint resolutions placed on the
15 24 calendar of either chamber of the general assembly, as well as
15 25 amendments filed to bills or joint resolutions on the
15 26 calendar, to determine whether a correctional impact statement
15 27 is required.

15 28 ~~d.~~ c. A member of the general assembly may request the
15 29 preparation of a correctional impact statement by submitting a
15 30 request to the legislative ~~fiscal bureau~~ services agency.

15 31 3. The legislative ~~fiscal director~~ services agency shall
15 32 cause to be prepared ~~and shall approve~~ a correctional impact
15 33 statement within a reasonable time after receiving a request
15 34 or determining that a proposal is subject to this section.

15 35 All correctional impact statements approved by the legislative
16 1 ~~fiscal director~~ services agency shall be transmitted
16 2 immediately to either the chief clerk of the house or the
16 3 secretary of the senate, after notifying the sponsor of the
16 4 legislation that the statement has been prepared, for
16 5 publication ~~in the daily clip sheet~~. The chief clerk of the
16 6 house or the secretary of the senate shall attach the
16 7 statement to the bill, joint resolution, or amendment affected
16 8 as soon as it is available.

16 9 4. The legislative ~~fiscal director~~ services agency may
16 10 request the cooperation of any state department or agency or
16 11 political subdivision in preparing a correctional impact
16 12 statement.

16 13 5. A revised correctional impact statement shall be
16 14 prepared if the correctional impact has been changed by the
16 15 adoption of an amendment, and may be requested by a member of
16 16 the general assembly or be prepared upon a determination made
16 17 by the legislative ~~fiscal director~~ services agency. However,
16 18 a request for a revised correctional impact statement shall
16 19 not delay action on the bill, joint resolution, or amendment
16 20 unless so ordered by the presiding officer of the chamber.

16 21 Sec. 13. Section 2B.1, Code 2003, is amended to read as
16 22 follows:

16 23 2B.1 IOWA CODE AND ADMINISTRATIVE CODE ~~DIVISIONS~~==
16 24 EDITORS.

16 25 ~~1. The Iowa Code and administrative code divisions are~~
16 26 ~~established within the legislative service bureau.~~

16 27 ~~2. 1. The director of the legislative service bureau~~
16 28 ~~services agency shall appoint the Iowa Code editor and the~~
16 29 ~~administrative code editor, subject to the approval of the~~
16 30 ~~legislative council, as provided in section 2.42. The Iowa~~
16 31 ~~Code editor and the administrative code editor shall serve as~~
16 32 ~~the heads of their respective divisions, at the pleasure of~~
16 33 ~~the director of the legislative service bureau, and subject to~~
16 34 ~~the approval of the legislative council services agency.~~

16 35 ~~3. 2. The Iowa Code and administrative code divisions~~
17 1 ~~editors are responsible for the editing, compiling, and~~
17 2 ~~proofreading of the publications they prepare, as provided in~~
17 3 ~~this chapter. The Iowa Code division editor is entitled to~~
17 4 ~~the temporary possession of the original enrolled Acts and~~
17 5 ~~resolutions as necessary to prepare them for publication.~~

17 6 Sec. 14. Section 2B.5, Code 2003, is amended to read as
17 7 follows:

17 8 2B.5 DUTIES OF ADMINISTRATIVE CODE ~~DIVISION~~ EDITOR.

17 9 The administrative code ~~division~~ editor shall:

17 10 1. Cause the Iowa administrative bulletin and the Iowa
17 11 administrative code to be published as provided in chapter
17 12 17A.

17 13 2. Cause the Iowa court rules to be published and
17 14 distributed, as directed by the supreme court after
17 15 consultation with the legislative council. The Iowa court
17 16 rules shall consist of all rules prescribed by the supreme
17 17 court. ~~The court rules shall be published in loose-leaf form~~
17 18 ~~and supplements shall be prepared and distributed as directed~~
17 19 ~~by the supreme court. The Iowa court rules and supplements to~~
17 20 ~~the court rules shall be priced as provided in section 7A.22~~
17 21 ~~2E.5.~~

17 22 3. Cause to be published annually ~~in pamphlet form~~ a
17 23 correct list of state officers and deputies, members of boards
17 24 and commissions, judges justices of the supreme court,
17 25 appellate judges of the court of appeals, and judges of the
17 26 district courts including district associate judges and
17 27 judicial magistrates, and members of the general assembly.
17 28 The offices of the governor and secretary of state shall
17 29 cooperate in the preparation of the list. ~~This pamphlet shall~~
17 30 ~~be published as soon after July 1 as it becomes apparent that~~
17 31 ~~it will be reasonably current.~~

17 32 4. Notify the administrative rules coordinator if a rule
17 33 is not in proper style or form.

17 34 5. Perform other duties as directed by the director of the
17 35 legislative ~~service bureau~~ services agency, the legislative
18 1 council, or the administrative rules review committee and as
18 2 provided by law.

18 3 Sec. 15. Section 2B.6, Code 2003, is amended to read as
18 4 follows:

18 5 2B.6 DUTIES OF IOWA CODE ~~DIVISION~~ EDITOR.

18 6 The Iowa Code ~~division~~ editor shall:

18 7 1. Submit recommendations as the Iowa Code editor deems
18 8 proper to each general assembly for the purpose of amending,
18 9 revising, codifying, and repealing portions of the statutes
18 10 which are inaccurate, inconsistent, outdated, conflicting,
18 11 redundant, or ambiguous, and present the recommendations in
18 12 bill form to the appropriate committees of the general
18 13 assembly.

18 14 2. Cause the annual ~~session laws~~ Iowa Acts to be
18 15 published, as provided in section 2B.10, including copies of
18 16 all Acts and joint resolutions passed at each session of the
18 17 general assembly.

18 18 3. Cause the Iowa Code and Iowa Code Supplement to be
18 19 published as provided in section 2B.12.

18 20 4. Perform other duties as directed by the director of the
18 21 legislative ~~service bureau~~ services agency or the legislative
18 22 council and as provided by law.

18 23 Sec. 16. Section 2B.10, subsection 5, Code 2003, is

18 24 amended to read as follows:

18 25 5. The enrolling clerks of the house and senate shall
18 26 arrange for the Iowa Code ~~division editor~~ to receive suitable
18 27 copies of all Acts and resolutions as soon as they are
18 28 enrolled.

18 29 Sec. 17. Section 2B.12, subsection 6, paragraph f, Code
18 30 2003, is amended to read as follows:

18 31 f. The Constitution of the State of Iowa, original and
18 32 codified versions.

18 33 Sec. 18. Section 2B.13, Code 2003, is amended to read as
18 34 follows:

18 35 2B.13 EDITORIAL POWERS AND DUTIES.

19 1 1. The Iowa Code editor in preparing the copy for an
19 2 edition of the Iowa Code or ~~a Iowa Code Supplement, and the~~
~~19 3 administrative code editor in preparing the copy for an~~
~~19 4 edition of the Iowa administrative code or bulletin shall not~~
19 5 alter the sense, meaning, or effect of any Act of the general
19 6 assembly, but may:

19 7 a. Correct manifestly misspelled words and grammatical and
19 8 clerical errors, including punctuation but without changing
~~19 9 the meaning, and change capitalization, spelling, and~~
19 10 punctuation for purposes of uniformity and consistency in Code
19 11 language.

19 12 b. Correct internal references to sections which are cited
19 13 erroneously or have been repealed, and amended, or renumbered.

19 14 c. Substitute the proper chapter, section, subsection, or
19 15 other statutory reference for the term "this Act" or
19 16 references to another Act of the general assembly when there
19 17 appears to be no doubt as to the proper method of making the
19 18 substitution.

19 19 d. Substitute the proper date for references to the
19 20 effective or applicability dates of an Act when there appears
19 21 to be no doubt as to the proper method of making the
19 22 substitution.

19 23 e. Correct names of agencies, officers, or other entities
19 24 which have been changed, when there appears to be no doubt as
19 25 to the proper methods method of making the corrections
19 26 correction. The Code editor shall maintain a record of the
~~19 27 corrections made under this paragraph. The record shall be~~
19 28 available to the public.

19 29 e. f. Transfer, divide, or combine sections or parts of
19 30 sections and add or amend headnotes to sections and
19 31 subsections. Pursuant to section 3.3, the headnotes are not
19 32 part of the law.

19 33 g. Change words that designate one gender to reflect both
19 34 genders when the provisions apply to both genders.

19 35 h. If any Code section or part of a Code section, or any
20 1 Act of the general assembly which is intended to be codified,
20 2 is amended by more than one Act or more than one provision in
20 3 an Act of the general assembly, and the amendments do not
20 4 expressly refer to or amend one of the other Acts or Act
20 5 provisions in question, harmonize the amendments, if possible,
20 6 so that effect may be given to each and incorporate the
20 7 amendments as harmonized in the Code section. If amendments
20 8 made by several Acts are irreconcilable, unless one of the
20 9 amendments repeals or strikes the language in question, the
20 10 Iowa Code editor shall codify the amendment that is latest in
20 11 date of enactment by the general assembly. If amendments made
20 12 by provisions within an Act are irreconcilable, unless one of
20 13 the amendments repeals or strikes the language in question,
20 14 the Iowa Code editor shall codify the provision listed last in
20 15 the Act. If one of the amendments repeals or strikes the
20 16 language in question, the Iowa Code editor shall codify the
20 17 amendment that repeals or strikes the language.

20 18 2. The Iowa Code editor may prepare and publish comments
20 19 deemed necessary for a proper explanation of the manner of
20 20 printing a section or chapter of the Iowa Code.

20 21 3. The Iowa Code editor, in preparing the copy for an
20 22 edition of the Iowa Code or a Code Supplement, and the
20 23 administrative code editor in preparing the copy for an
20 24 edition of the Iowa administrative code, shall edit the copy
20 25 in order that words which designate one gender are changed to
20 26 reflect both genders when the provisions of law apply to
20 27 persons of both genders.

20 28 2. The administrative code editor in preparing the copy
20 29 for an edition of the Iowa administrative code or bulletin
20 30 shall not alter the sense, meaning, or effect of any rule, but
20 31 may:

20 32 a. Correct misspelled words and grammatical and clerical
20 33 errors, including punctuation, and change capitalization,
20 34 spelling, and punctuation for purposes of uniformity and

20 35 consistency.

21 1 b. Correct references to rules or sections which are cited
21 2 erroneously or have been repealed, amended, or renumbered.

21 3 c. Correct names of agencies, officers, or other entities
21 4 when there appears to be no doubt as to the proper method of
21 5 making the correction.

21 6 d. Transfer, divide, or combine rules or parts of rules
21 7 and add or amend catchwords to rules and subrules.

21 8 e. Change words that designate one gender to reflect both
21 9 genders when the provisions apply to both genders.

21 10 f. Perform any other editorial tasks required or
21 11 authorized by section 17A.6.

21 12 3. The Iowa Code editor may, in preparing the copy for an
21 13 edition of the Iowa Code or Iowa Code Supplement, establish
21 14 standards for and change capitalization, spelling, and
21 15 punctuation in any Code provision for purposes of uniformity
21 16 and consistency in Code language. The administrative code
21 17 editor may establish standards for capitalization, spelling,
21 18 and punctuation for purposes of uniformity and consistency in
21 19 the administrative code.

21 20 4. The Iowa Code editor shall seek direction from the
21 21 senate committee on judiciary and the house committee on
21 22 judiciary when making Iowa Code or Iowa Code Supplement
21 23 changes, and the administrative code editor shall seek
21 24 direction from the administrative rules review committee and
21 25 the administrative rules coordinator when making Iowa
21 26 administrative code changes, which appear to require
21 27 substantial editing and which might otherwise be interpreted
21 28 to exceed the scope of the authority granted in this section.

21 29 5. The Iowa Code editor may prepare and publish comments
21 30 deemed necessary for a proper explanation of the manner of
21 31 printing a section or chapter of the Iowa Code. The Iowa Code
21 32 editor shall maintain a record of all of the corrections made
21 33 under subsection 1. The Iowa Code editor and the

21 34 administrative code editor shall also maintain a separate
21 35 record of the changes made under this section subsection 1,
22 1 paragraphs "b" through "h". The record records shall be
22 2 available to the public.

22 3 6. The Iowa Code editor and the administrative code editor
22 4 shall not make editorial changes which go beyond the authority
22 5 granted in this section or other law.

22 6 7. The effective date of all editorial changes in an
22 7 edition of the Iowa Code or a Iowa Code Supplement is the
22 8 effective date of the selling price Iowa Code editor's
22 9 approval of the final press proofs for the statutory text
22 10 contained within that publication as established by the
22 11 legislative council or the legislative council's designee.

22 12 The effective date of all editorial changes for the Iowa
22 13 administrative code is the date those changes are published in
22 14 the Iowa administrative code.

22 15 Sec. 19. Section 2B.17, subsections 3 and 5, Code 2003,
22 16 are amended to read as follows:

22 17 3. The official printed versions of the Iowa Code, Code
22 18 Supplement, and ~~session laws~~ Iowa Acts published under
22 19 authority of the state are the only authoritative publications
22 20 of the statutes of this state. ~~No other~~ Other publications of
22 21 the statutes of the state shall not be cited in the courts or
22 22 in the reports or rules of the courts. The Iowa Code editor
22 23 is the custodian of the official printed versions of the Iowa
22 24 Code, Iowa Code Supplement, and Iowa Acts and may attest to
22 25 and authenticate any portion of those official printed
22 26 versions for purposes of admitting a portion of the official
22 27 printed version in any court or office of any state,
22 28 territory, or possession of the United States or in a foreign
22 29 jurisdiction.

22 30 5. The printed version of the Iowa administrative code is
22 31 the permanent publication of administrative rules in this
22 32 state and the Iowa administrative bulletin and the Iowa
22 33 administrative code published pursuant to chapter 17A are the
22 34 official publications of the administrative rules of this
22 35 state, and are the only authoritative publications of the
23 1 administrative rules of this state. Other publications of the
23 2 administrative rules of this state shall not be cited in the
23 3 courts or in the reports or rules of the courts. The Iowa
23 4 administrative code editor is the custodian of the official
23 5 printed versions of the Iowa administrative code and the Iowa
23 6 administrative bulletin and may attest to and authenticate any
23 7 portion of those official printed versions for purposes of
23 8 admitting a portion of the official printed version in any
23 9 court or office of any state, territory, or possession of the
23 10 United States or in a foreign jurisdiction.

23 11 Sec. 20. Section 2B.21, Code 2003, is amended to read as
23 12 follows:

23 13 2B.21 AVAILABILITY OF PARTS OF THE IOWA CODE AND
23 14 ADMINISTRATIVE CODE.

23 15 The Iowa Code ~~division editor~~ and the administrative code
23 16 ~~division editor~~, in accordance with policies established by
23 17 the legislative council, may cause parts of the Iowa Code or
23 18 administrative code to be made available for the use of public
23 19 officers and other persons. This authority shall be exercised
23 20 in a manner planned to avoid delay in the other publications
23 21 of the ~~divisions editors~~.

23 22 Sec. 21. Section 7E.6, subsection 7, Code 2003, is amended
23 23 by striking the subsection.

23 24 Sec. 22. Section 8.22A, subsection 1, Code 2003, is
23 25 amended to read as follows:

23 26 1. The state revenue estimating conference is created
23 27 consisting of the governor or the governor's designee, the
23 28 director of the legislative ~~fiscal bureau services agency or~~
23 29 ~~the director's designee~~, and a third member agreed to by the
23 30 other two.

23 31 Sec. 23. Section 15A.9, subsection 11, Code 2003, is
23 32 amended by striking the subsection.

23 33 Sec. 24. Section 17A.6, subsection 1, unnumbered paragraph
23 34 1, Code 2003, is amended to read as follows:

23 35 The administrative code editor shall cause the Iowa
24 1 administrative bulletin to be published in ~~a printed form~~
24 2 ~~accordance with section 2.42~~ at least every other week, unless
24 3 the administrative code editor and the administrative rules
24 4 review committee determine that an alternative publication
24 5 schedule is preferable. ~~An electronic version of the Iowa~~
24 6 ~~administrative bulletin may also be published as provided in~~
24 7 ~~section 2.42.~~ The Iowa administrative bulletin shall contain
24 8 all of the following:

24 9 Sec. 25. Section 17A.6, subsections 2, 3, and 5, Code
24 10 2003, are amended to read as follows:

24 11 2. Subject to the direction of the administrative rules
24 12 coordinator, the administrative code editor shall cause the
24 13 Iowa administrative code to be compiled, indexed, and
24 14 published ~~in accordance with section 2.42~~ in a ~~printed loose-~~
24 15 ~~leaf~~ form containing all rules adopted and filed by each
24 16 agency. The administrative code editor further shall cause
24 17 ~~loose-leaf~~ supplements to the Iowa administrative code to be
24 18 published as determined by the administrative rules
24 19 coordinator and the administrative rules review committee,
24 20 containing all rules filed for publication in the prior time
24 21 period. The supplements shall be in such form that they may
24 22 be inserted in the appropriate places in the permanent
24 23 compilation. The administrative rules coordinator shall
24 24 devise a uniform numbering system for rules and may renumber
24 25 rules before publication to conform with the system. ~~An~~
24 26 ~~electronic version of the Iowa administrative code may also be~~
24 27 ~~published as provided in section 2.42.~~

24 28 3. The administrative code editor may omit or cause to be
24 29 omitted from the Iowa administrative code or bulletin any rule
24 30 the publication of which would be unduly cumbersome, expensive
24 31 or otherwise inexpedient, if the rule in ~~printed or~~ processed
24 32 form is made available on application to the adopting agency
24 33 at no more than its cost of reproduction, and if the Iowa
24 34 administrative code or bulletin contains a notice stating the
24 35 specific subject matter of the omitted rule and stating how a
25 1 copy of the omitted rule may be obtained.

25 2 The administrative code editor shall omit or cause to be
25 3 omitted from the Iowa administrative code any rule or portion
25 4 of a rule nullified by the general assembly pursuant to
25 5 Article III, section 40, of the Constitution of the State of
25 6 Iowa.

25 7 5. The Iowa administrative code, its supplements, and the
25 8 Iowa administrative bulletin shall be made available upon
25 9 request to all persons who subscribe to any of them ~~through~~
25 10 ~~the state printing division. Copies of this code so made~~
25 11 ~~available shall be kept current by the division.~~

25 12 Sec. 26. Section 17A.8, subsection 10, Code 2003, is
25 13 amended by striking the subsection.

25 14 Sec. 27. Section 18.3, subsection 3, Code 2003, is amended
25 15 to read as follows:

25 16 3. Administering the provisions of sections 18.26 to
25 17 ~~18.103~~ 18.100.

25 18 Sec. 28. Section 18.28, Code 2003, is amended to read as
25 19 follows:

25 20 18.28 "PRINTING" DEFINED.

25 21 As used in chapter 7A and sections 18.26 to ~~18.103~~ 18.100,

25 22 "printing" means the reproduction of an image from a printing
25 23 surface made generally by a contact impression that causes a
25 24 transfer of ink, the reproduction of an impression by a
25 25 photographic process, or the reproduction of an image by
25 26 electronic means and shall include binding and may include
25 27 material, processes, or operations necessary to produce a
25 28 finished printed product, but shall not include binding,
25 29 rebinding or repairs of books, journals, pamphlets, magazines
25 30 and literary articles by any library of the state or any of
25 31 its offices, departments, boards and commissions held as a
25 32 part of their library collection.

25 33 Sec. 29. NEW SECTION. 18.28A LEGISLATIVE BRANCH
25 34 EXCLUDED.

25 35 This chapter does not apply to the printing contracts or
26 1 procedures of the legislative branch.

26 2 Sec. 30. Section 18.30, Code 2003, is amended to read as
26 3 follows:

26 4 18.30 CONTRACTS WITH STATE INSTITUTIONS.

26 5 The director may, without advertising for bids, enter into
26 6 contracts or make provision for doing any of the work coming
26 7 under the provisions of chapter 7A and sections 18.26 to
26 8 ~~18.103~~ 18.100 at any school or institution under the ownership
26 9 or control of the state. The work shall be done under
26 10 conditions substantially the same as those provided for in the
26 11 case of contracts with individuals and the same standard of
26 12 quality or product shall be required.

26 13 Sec. 31. Section 18.50, Code 2003, is amended to read as
26 14 follows:

26 15 18.50 EMERGENCY CONTRACTS.

26 16 The director may at any time award a separate printing
26 17 contract or may authorize an assistant to award a separate
26 18 printing contract for any work and materials or printing
26 19 supplies within the provisions of chapter 7A and sections
26 20 18.26 to ~~18.103~~ 18.100 which are not included in current
26 21 printing contracts or which cannot properly be made the
26 22 subject of a general contract. A separate printing contract
26 23 must have been duly solicited by the director from vendors
26 24 engaged in the kind of work under consideration who have
26 25 indicated a desire to bid on the class of work to be
26 26 performed.

26 27 Sec. 32. Section 18.59, subsection 5, Code 2003, is
26 28 amended to read as follows:

26 29 5. To avoid duplication, overlapping, and redundancy of
26 30 pamphlets and publications, other than legislative branch
26 31 publications and official documents and books and publications
26 32 authorized by ~~chapters 2B and~~ chapter 7A, to examine the
26 33 contents of proposed pamphlets or publications and to approve
26 34 or disapprove such pamphlets or publications only for such
26 35 reason; and to effectuate this power, the director shall adopt
27 1 rules for its administration.

27 2 Sec. 33. Section 18.75, subsections 6 and 8, Code 2003,
27 3 are amended to read as follows:

~~27 4 6. Have legal custody of all Codes, session laws, books of
27 5 annotations, tables of corresponding sections, publications,
27 6 except premium lists published by the Iowa state fair board,
27 7 containing reprints of statutes or administrative rules, or
27 8 both, reports of state departments, and reports of the supreme
27 9 court, and sell, account for, and distribute the same as
27 10 provided by law. However, the legislative service bureau
27 11 shall solicit and process orders for the distribution of all
27 12 printed Codes, session laws, administrative codes and
27 13 bulletins, court rules, and the state roster.~~

27 14 8. By November 1 of each year supply a report which
27 15 contains the name, gender, county, or city of residence when
27 16 possible, official title, salary received during the previous
27 17 fiscal year, base salary as computed on July 1 of the current
27 18 fiscal year, and traveling and subsistence expense of the
27 19 personnel of each of the departments, boards, and commissions
27 20 of the state government except personnel who receive an annual
27 21 salary of less than one thousand dollars. The number of the
27 22 personnel and the total amount received by them shall be shown
27 23 for each department in the report. All employees who have
27 24 drawn salaries, fees, or expense allowances from more than one
27 25 department or subdivision shall be listed separately under the
27 26 proper departmental heading. On the request of the
27 27 administrator, the head of each department, board, or
27 28 commission shall furnish the data covering that agency. The
27 29 report shall be distributed upon request ~~without charge~~
27 30 electronically to each caucus of the general assembly, the
27 31 legislative service bureau, the legislative fiscal bureau
27 32 services agency, the chief clerk of the house of

27 33 representatives, and the secretary of the senate. Copies of
27 34 the report shall be made available to other persons in ~~both~~
~~27 35 print or~~ electronic medium, upon payment of a fee if
28 1 appropriate, which shall not exceed the cost of providing the
28 2 copy of the report. Sections 22.2 through 22.6 apply to the
28 3 report. All funds from the sale of the report shall be
28 4 deposited in the general fund. Requests for publications
28 5 shall be handled only upon receipt of postage by the
28 6 administrator.

28 7 Sec. 34. Section 22.3A, subsection 2, paragraph a, Code
28 8 2003, is amended to read as follows:

28 9 a. The amount charged for access to a public record shall
28 10 be not more than that required to recover direct publication
28 11 costs, including but not limited to editing, compilation, and
28 12 media production costs, incurred by the government body in
28 13 developing the data processing software, and preparing the
28 14 data processing software for transfer to the person. The
28 15 amount shall be in addition to any other fee required to be
28 16 paid under this chapter for the examination and copying of a
28 17 public record. If a person accesses a public record stored in
28 18 an electronic format that does not require formatting,
28 19 editing, or compiling to access the public record, the charge
28 20 for providing the accessed public record shall not exceed the
28 21 reasonable cost of accessing that public record. The
28 22 government body shall, if requested, provide documentation
28 23 which explains and justifies the amount charged. This
28 24 paragraph shall not apply to any publication for which a price
28 25 has been established pursuant to another section, including
28 26 section ~~7A.22~~ 2E.5.

28 27 Sec. 35. Section 25B.5, Code 2003, is amended to read as
28 28 follows:

28 29 25B.5 COST ESTIMATES == NOTATION IN ACTS.

28 30 1. When a bill or joint resolution is requested, the
28 31 legislative ~~service bureau~~ services agency shall make an
28 32 initial determination of whether the bill or joint resolution
28 33 may impose a state mandate. If a state mandate may be
28 34 included, that fact shall be included in the explanation of
28 35 the bill or joint resolution.

29 1 2. If a bill or joint resolution may include a state
29 2 mandate, ~~a copy of the prepared draft shall be sent to the~~
29 3 legislative ~~fiscal bureau~~ which services agency shall
29 4 determine if the bill or joint resolution contains a state
29 5 mandate. If the bill or joint resolution contains a state
29 6 mandate and is still eligible for consideration during the
29 7 legislative session for which the bill or joint resolution was
29 8 drafted, the legislative ~~fiscal bureau~~ services agency shall
29 9 prepare an estimate of the amount of costs imposed.

29 10 3. If a bill or joint resolution containing a state
29 11 mandate is enacted, unless the estimate already on file with
29 12 the house of origin is sufficient, the legislative ~~fiscal~~
~~29 13 bureau~~ services agency shall prepare a final estimate of
29 14 additional local revenue expenditures required by the state
29 15 mandate and file the estimate with the secretary of state for
29 16 inclusion with the official copy of the bill or resolution to
29 17 which it applies. A notation of the filing of the estimate
29 18 shall be made in the ~~Iowa Acts of the general assembly~~
29 19 published pursuant to chapter 2B.

29 20 Sec. 36. Section 97D.4, subsection 4, unnumbered paragraph
29 21 2, Code 2003, is amended to read as follows:

29 22 Administrative assistance shall be provided by the
29 23 legislative ~~service bureau and the legislative fiscal bureau~~
29 24 services agency.

29 25 Sec. 37. Section 256.53, Code 2003, is amended to read as
29 26 follows:

29 27 256.53 STATE PUBLICATIONS.

29 28 Upon issuance of a state publication in any format, a state
29 29 agency shall deposit with the division at no cost to the
29 30 division, seventy-five copies of the publication or a lesser
29 31 number if specified by the division, except as provided in
29 32 section 2E.6.

29 33 Sec. 38. Section 331.502, subsection 3, Code 2003, is
29 34 amended by striking the subsection.

29 35 Sec. 39. Section 602.1204, subsection 3, Code 2003, is
30 1 amended to read as follows:

30 2 3. The supreme court shall compile and publish all
30 3 procedures and directives relating to the supervision and
30 4 administration of the internal affairs of the judicial branch,
30 5 and shall distribute a copy of the compilation and all
30 6 amendments to each operating component of the judicial branch.
30 7 ~~Copies also shall be distributed to agencies referred to in~~
~~30 8 section 18.97 upon request.~~

30 9 Sec. 40. Sections 2.14, 2.16, 2.35, 2.45, 2.61, 2D.3, 3.2,
30 10 7A.11, 15E.111, 23A.2A, 28B.1, 28B.4, 42.2, 42.3, 42.6, 49.7,
30 11 275.23A, 331.209, and 602.4202, Code 2003, are amended by
30 12 striking from the sections the words "legislative service
30 13 bureau" and "bureau" when referring to the legislative service
30 14 bureau and inserting in lieu thereof the words "legislative
30 15 services agency".

30 16 Sec. 41. Sections 2.46, 2.51, 2B.10, 7E.5A, 8.23, 8.35A,
30 17 8.44, 8.46, 8.55, 8.61, 8.62, 8E.209, 8E.301, 12E.13, 14B.103,
30 18 14B.105, 14B.206, 15.113, 15.343, 18.16A, 18.16B, 80E.1,
30 19 97B.17, 135.11, 161D.8, 161D.13, 217.12, 237.18, 255.24A,
30 20 260C.66, 261.22, 261.25, 262.64A, 262A.13, 263A.11, 263A.13,
30 21 266.39D, 266.39F, 292.2, 294A.19, 307.20, 307.40, 307.46,
30 22 307.47, 327J.3, 384.3, 403.23, 404A.5, 421.17, 422.72,
30 23 455B.183A, 455G.4, 505.7, 524.207, 533.67, 602.1301, 602.1302,
30 24 602.8108, 904.116, 904.706, 905.6, 905.8, and 906.5, Code
30 25 2003, are amended by striking from the sections the words
30 26 "legislative fiscal bureau" and inserting in lieu thereof the
30 27 words "legislative services agency".

30 28 Sec. 42. CODE EDITOR'S DIRECTIVE. The Code editor shall
30 29 correct any references to the legislative services agency as
30 30 the successor to the legislative service bureau, legislative
30 31 fiscal bureau, and computer support bureau, including
30 32 grammatical constructions, anywhere else in the Iowa Code, in
30 33 any bills awaiting codification, and in any bills enacted by
30 34 the Eightieth General Assembly, 2003 Regular Session.

30 35 Sec. 43. Sections 2.48, 2.49, 2.50, 2.52, 2.55, 2.55A,
31 1 2.58, 2.59, 2.60, 2.64, 2.65, 2.66, 2.67, 2.100, 2.101, 2.102,
31 2 2.103, 2.104, 7A.15, 7A.16, 7A.17, 7A.18, 7A.19, 7A.21, 7A.22,
31 3 7A.25, 7A.26, 18.86, 18.87, 18.88, 18.89, 18.90, 18.95, 18.96,
31 4 18.97, 18.97A, 18.101, 18.102, and 18.103, Code 2003, are
31 5 repealed.

31 6 Sec. 44. EFFECTIVE DATE. This Act, being deemed of
31 7 immediate importance, takes effect upon enactment.

31 8 EXPLANATION

31 9 This bill relates to legislative branch consolidation of
31 10 certain of its functions.

31 11 CONSOLIDATED AGENCY. The bill creates a single,
31 12 nonpartisan legislative services agency by combining the
31 13 functions and duties of the legislative service bureau,
31 14 legislative fiscal bureau, and legislative computer support
31 15 bureau. The bill provides for continued oversight of the new
31 16 agency by the legislative council. State agencies are
31 17 required to provide information, including certain
31 18 confidential information, needed by the agency to fulfill its
31 19 responsibilities. The director retains subpoena authority to
31 20 enforce access to such information. Employees of the
31 21 legislative services agency are protected from being compelled
31 22 to give testimony or to appear and produce documentary
31 23 evidence in a judicial or quasi-judicial proceeding if the
31 24 testimony or documentary evidence sought relates to a
31 25 legislative duty or act performed by the employee.

31 26 LEGISLATIVE SERVICE BUREAU FUNCTIONS. The bill transfers
31 27 the legislative service bureau's legal analysis, legal
31 28 drafting, congressional and legislative redistricting, legal
31 29 publications, standing, statutory, and interim committee
31 30 staffing, legislative information, legislative visitor
31 31 protocol, and capitol tour guide responsibilities to the new
31 32 agency. With respect to legal and legislative analysis, the
31 33 bill preserves the current statutory requirement that such
31 34 analysis not contain public policy recommendations. Legal
31 35 analysis is required to be provided through the exercise of
32 1 attorney=employees' independent, professional judgment.

32 2 LEGISLATIVE FISCAL BUREAU FUNCTIONS. The bill transfers
32 3 the legislative fiscal bureau's state expenditure, revenue,
32 4 and budget review and analysis, fiscal note preparation,
32 5 revenue and budget, statutory, standing committee and
32 6 subcommittee, and interim committee staffing, and program
32 7 evaluation responsibilities to the new agency. With respect
32 8 to the budget and revenue committees, the bill preserves the
32 9 current statutory authority of the legislative fiscal bureau
32 10 to advise the committees when requested, and to make inquiries
32 11 and suggestions with respect to state agency budget hearings.
32 12 The bill strikes the requirement of the legislative fiscal
32 13 bureau to conduct every five years an economic cost=benefit
32 14 analysis of each quality jobs enterprise zone.

32 15 COMPUTER SUPPORT BUREAU FUNCTIONS. The bill transfers the
32 16 computer support bureau's legislative computer systems
32 17 responsibilities to the new agency.

32 18 ADMINISTRATIVE RULES REVIEW COMMITTEE LEGAL ASSISTANCE.
32 19 The bill transfers to the new agency the responsibility of

32 20 providing legal assistance to the administrative rules review
32 21 committee.

32 22 OFFICIAL LEGAL PUBLICATIONS AND PROCUREMENT. The bill
32 23 authorizes the legislative services agency to set prices for
32 24 publication of the official versions of the Iowa Code, Iowa
32 25 Code Supplement, Iowa Acts, Iowa court rules, Iowa
32 26 administrative bulletin, and Iowa administrative code. The
32 27 bill updates the editorial powers and duties of the Iowa Code
32 28 and administrative code editors in Code chapters 2B and 7E.
32 29 The effective date for editorial changes to the Iowa Code is
32 30 set on the date of approval by the Iowa Code editor of the
32 31 final press proofs for the statutory text of the Iowa Code.
32 32 The statutory provisions governing the distribution of these
32 33 official printed legal publications at no cost or at a price
32 34 covering distribution costs to state and local public
32 35 officials and offices are amended to continue providing the
33 1 distribution of these publications while attempting to
33 2 substitute more electronic publications for the printed
33 3 publications. The authorization to require some payment for
33 4 otherwise no-cost or distribution-cost copies is retained for
33 5 the legislative services agency. Procurement authority is
33 6 provided for the legislative services agency. The current
33 7 sales tax exemption for certain items sold by the legislative
33 8 service bureau is applied to items sold or services provided
33 9 by the legislative services agency.

33 10 SENATE AND HOUSE PUBLICATIONS. The bill provides that the
33 11 senate and house of representatives shall each publish and
33 12 determine procurement procedures for the publication of their
33 13 journals, bills, and amendments, and determine their
33 14 distribution. The bill repeals provisions in Code chapters 7A
33 15 and 18 relating to the state printing administrator's
33 16 responsibility for printing journals and bills and relating to
33 17 specific distribution requirements for the journals, official
33 18 registers, and bills with respect to members of the general
33 19 assembly, libraries, newspapers, county auditors, and the
33 20 public.

33 21 NONPARTISANSHIP AND LEGISLATIVE PRIVILEGES. Employees of
33 22 the new agency are prohibited from participating in partisan
33 23 political activities and shall not be identified as advocates
33 24 or opponents of issues subject to legislative debate except as
33 25 otherwise provided by law or by the legislative council.
33 26 Services provided by the new agency are required to be
33 27 provided in a manner so as to preserve the independence of the
33 28 general assembly as a constitutional body and to protect the
33 29 legislative privileges of the members and employees.

33 30 DIRECTOR OF CONSOLIDATED AGENCY. The director of the
33 31 agency is to be appointed by the legislative council. The
33 32 director supervises all functions and employees and outside
33 33 service providers of the new agency.

33 34 The director of the new agency or the director's designee
33 35 is named a member of the state revenue estimating conference
34 1 in Code chapter 8 and of the petroleum underground storage
34 2 tank fund board as is currently the case with the director of
34 3 the legislative fiscal bureau.

34 4 CODE REFERENCES AMENDED. Additional references in the Code
34 5 to the three separate legislative agencies are changed by an
34 6 alternative drafting style that references all Code sections
34 7 in which the current agency names are to be changed to the new
34 8 agency's name.

34 9 References to the legislative service bureau relate to the
34 10 following subject matters in the following Code sections:
34 11 performance of legislative functions, including legislative
34 12 standing committee staffing, drafting of state agency and
34 13 governor bills, preparation of legal and legislative research,
34 14 communications review committee staffing, employment of a
34 15 legislative branch protocol officer, bill drafting protocols,
34 16 filing of documents with the general assembly, private
34 17 industry competition notations in bills, interstate
34 18 cooperation commission staffing and expenses, congressional
34 19 and legislative redistricting, county, city, and school
34 20 district redistricting assistance, and supreme court rule
34 21 drafting protocols (Code sections 2.14, 2.16, 2.35, 2.61,
34 22 2D.3, 3.2, 7A.11, 23A.2A, 28B.1, 28B.4, 42.2, 42.3, 42.6,
34 23 49.7, 275.23A, 331.209, and 602.4202); and receipt of
34 24 information or reports (Code section 15E.111).

34 25 References to the legislative fiscal bureau relate to the
34 26 following subject matters in the following Code sections:
34 27 performance of legislative functions, including state mandate
34 28 notation, legislative visitation committee staffing, lease=
34 29 purchase notifications, confidential receipt of IPERS
34 30 information, access to tax information, petroleum underground

34 31 storage tank fund board membership (Code sections 2.51, 2B.10,
34 32 8.22A, 8.23, 8.35A, 8.46, 97B.17, 422.72, and 455G.4); and
34 33 receipt of notification of executive and judicial branch
34 34 actions; receipt of information, reports, or formal
34 35 submissions; and required consultation or coordination (Code
35 1 sections 2.46, 7E.5A, 8.23, 8.35A, 8.44, 8.46, 8.55, 8.61,
35 2 8.62, 8E.209, 8E.301, 12E.13, 14B.103, 14B.105, 14B.206,
35 3 15.113, 15.343, 18.16A, 18.16B, 80E.1, 135.11, 161D.8,
35 4 161D.13, 217.12, 237.18, 255.24A, 260C.66, 261.22, 261.25,
35 5 262.64A, 262A.13, 263A.11, 263A.13, 266.39D, 266.39F, 292.2,
35 6 294A.19, 307.20, 307.40, 307.46, 307.47, 327J.3, 384.3,
35 7 403.23, 404A.5, 421.17, 455B.183A, 505.7, 524.207, 533.67,
35 8 602.1301, 602.1302, 602.8108, 904.116, 904.706, 905.6, 905.8,
35 9 and 906.5).

35 10 REPEALS. The bill repeals numerous sections in Code
35 11 chapter 2 relating to the general assembly, the contents of
35 12 which are transferred, for the most part, to new Code chapter
35 13 2E. The bill also repeals several sections in Code chapters
35 14 7A and 18 relating to official publications, the contents of
35 15 which are transferred, in part, to new Code chapter 2E.

35 16 EFFECTIVE DATE. The bill takes effect upon enactment.

35 17 LSB 3052SC 80
35 18 rj/cf/24